

Richard L. Wynne (RW-5630)
R. Alexander Pilmer (*to be admitted pro hac vice*)
Shirley S. Cho (SC-5002)
David I. Horowitz (DH-0921)
KIRKLAND & ELLIS LLP
777 South Figueroa Street, 37th Floor
Los Angeles, CA 90017
Telephone: (213) 680-8400
Facsimile: (213) 680-8500

Counsel for Kapalua Bay, LLC

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	Case No. 08-13555 (JMP)
Lehman Brothers Holdings, Inc., et al.,)	Jointly Administered
)	
Debtors.)	
)	

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

**TO: THE CLERK OF THE COURT, THE UNITED STATES TRUSTEE, THE
DEBTOR:**

PLEASE TAKE NOTICE that Kapalua Bay, LLC possesses certain claims against Lehman Brothers Holdings, Inc. ("Debtor"). Pursuant to Section 1109(b) of chapter 11, title 11 of the United States Code (the "Bankruptcy Code") and Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Kirkland & Ellis LLP, attorneys for Kapalua Bay, LLC, hereby enters its appearance in the proceedings and requests that copies of all notices given or required in this case and copies of all notices, pleadings or papers served or required to be served in this case be given to and served upon the following:

Richard L. Wynne, Esq.
Kirkland & Ellis LLP
777 South Figueroa Street, 37th Floor
Los Angeles, California 90017
Telephone: (213) 680-8400
Facsimile: (213) 680-8500
Email: rwynne@kirkland.com

PLEASE TAKE FURTHER NOTICE that pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing request includes not only the notices and papers referred to in Bankruptcy Rule 2002, but also includes, without limitation, any plan of reorganization and objections thereto, notices of any orders, pleadings, motions, applications, complaints, demands, hearings, requests or petitions, disclosure statements, answering or reply papers, memoranda and briefs in support of any of the foregoing and any other documents brought before this Court with respect to these proceedings, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone, telegraph, telex, telecopier, facsimile, electronic mail, or otherwise.

This Notice of Appearance and Request for Service of Papers shall not be deemed to be a waiver of Kapalua Bay, LLC's right (1) to have final orders in non-core matters entered only after *de novo* review by a District Court judge, (2) to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case, (3) to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (4) to any other rights, claims, actions, setoffs, or recoupments to which Kapalua Bay, LLC is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments Kapalua Bay, LLC expressly reserves.

Dated: October 21, 2008

/s/ Richard L. Wynne
KIRKLAND & ELLIS LLP
Richard L. Wynne (RW-5630)
R. Alexander Pilmer (to be admitted pro hac vice)
Shirley S. Cho (SC-5002)
David Horowitz (DH-0921)
KIRKLAND & ELLIS LLP
777 South Figueroa Street, 37th Floor
Los Angeles, CA 90017
Telephone: (213) 680-8400
Facsimile: (213) 680-8500

Counsel for Kapalua Bay, LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2008 a true and correct copy of the Notice of Appearance and Request for Service of Papers was served by first class U.S. Mail upon:

United States Bankruptcy Court
Southern District Of New York
Attn: The Honorable James M. Peck
One Bowling Green, Courtroom 601
New York, NY 10004

Weil Gotshal & Manges LLP
Attn: Richard P. Krasnow, Lori R. Fife
Shai Y. Waisman, Jacqueline Marcus
(Counsel To The Debtors)
767 Fifth Avenue
New York, NY 10153

Office Of The US Trustee
Andrew D Velez-Rivera
Paul Schwartzberg, Brian Masumoto,
Linda Rifkin, Tracy Hope Davis
33 Whitehall Street, 21st Floor
New York, NY 10004

Milbank, Tweed, Hadley & McCloy LLP
Dennis Dunne
Luc Despina, Wilbur Foster, Jr
Dennis O'Donnell, Esq., Evan Fleck, Esq.
(Counsel To The Official Committee Of
Unsecured Creditors)
1 Chase Manhattan Plaza
New York, NY 10005

Milbank, Tweed, Hadley & McCloy, LLP
Attn: Paul Aronzo & Gregory Bray
(Counsel To The Official Committee Of Unsecured
Creditors)
601 South Figueroa Street, 30th Floor
Los Angeles, CA 90017

Cleary Gottlieb Steen & Hamilton LLP
Lisa Schweitzer/Lindsee Granfield
One Liberty Plaza
New York, NY 10006

Sullivan & Cromwell LLP
Attn: Robinson B. Lace And Hydee R. Feldstein
(Counsel To Barclays Capital, Inc.)
125 Broad Street
New York, NY 10004

Quinn Emanuel Urquhart Oliver & Hedges
James Tecce
Susheel Kirpalani
(Special Counsel to Committee)
51 Madison Avenue, 22nd Floor
New York, NY 10010

Dated: October 21, 2008

/s/ Richard L. Wynne
KIRKLAND & ELLIS LLP